

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
BROWNSVILLE DIVISION**

UNITED STATES OF AMERICA	§
vs	§ CR. NO. B-07-490
GLEN DOUGLAS RACE	§

**MOTION TO DISMISS INDICTMENT**

TO THE HONORABLE JUDGE OF SAID COURT:

COMES NOW the United States of America, by and through its United States Attorney for the Southern District of Texas, and respectfully moves this Honorable Court to dismiss the Indictment in the above-styled and numbered cause as to Defendant GLEN DOUGLAS RACE for the reason that state authorities are prosecuting the defendant in New York for murder in Cause No. 51-I-2007.

Respectfully submitted,

DONALD J. DeGABRIELLE, JR.  
UNITED STATES ATTORNEY

/s/ Oscar Ponce

OSCAR PONCE

Assistant United States Attorney

Federal Bar No. 11420

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 26<sup>th</sup> day of February, 2008, a copy of Government's Motion To Dismiss Indictment was delivered to Timoteo Gomez, Assistant Federal Public Defender.

DONALD J. DeGABRIELLE, JR.  
UNITED STATES ATTORNEY

/s/ Oscar Ponce \_\_\_\_\_  
OSCAR PONCE  
Assistant United States Attorney

**CERTIFICATE OF CONFERENCE**

I hereby certify that on the 13<sup>th</sup> day February, 2008, Mr. Timoteo Gomez, Assistant Federal Public Defender, was contacted and has no objections to this motion.

DONALD J. DeGABRIELLE, JR.  
UNITED STATES ATTORNEY

/s/ Oscar Ponce \_\_\_\_\_  
OSCAR PONCE  
Assistant United States Attorney